



**CITY COUNCIL
ATLANTA, GEORGIA**

ORDINANCE

01- 0-0488

BY: COMMUNITY DEVELOPMENT/HUMAN RESOURCES COMMITTEE

AN ORDINANCE AUTHORIZING THE MAYOR TO DIRECT THE DEPARTMENT OF PLANNING, DEVELOPMENT, AND NEIGHBORHOOD CONSERVATION (BUREAU OF NEIGHBORHOOD CONSERVATION) TO CLEAN THE PREMISES AND CLOSE THE VARIOUS STRUCTURES, PURSUANT TO ARTICLE III OF THE ATLANTA HOUSING CODE AND A HEARING CONDUCTED BY THE IN REM REVIEW BOARD ON FEBRUARY 22, 2001.

**1588 Ezra Church Drive, NW 03
321 Laquita Drive, SE 01**

WHEREAS, on March 16, 1987, the Council of the City of Atlanta adopted an Ordinance entitled, "The Atlanta Housing Code of 1987"; and the same was approved by the Mayor of the City of Atlanta on March 24, 1987; and

WHEREAS, on February 22, 2001, pursuant to the Atlanta Housing Code of 1987, Article III; entitled "In Rem Procedures", hearings were held after due notice to owner(s) of and/or parties in interest before the In Rem Review Board regarding certain structures believed to be unfit for occupancy or habitation and to be in violation of Article III; and

WHEREAS, on February 22, 2001, The In Rem Review Board determined that the structures on the real property more fully identified hereinafter, were unfit for human occupancy or habitation and could not be improved, repaired, or altered at a cost of fifty percent (50%) or less of the value of structures, exclusive of the foundation and lots after the improvements have been made; and

WHEREAS, the In Rem Review Board did state in writing these findings of fact in support of such determination and the In Rem Review Board issued and caused to be served upon the owner(s) of and /or parties in interest, an Order requiring the owner(s) and/or parties in interest demolish such structures, clean the premises and plant grass on the lot pursuant to Section 33 (3) c of the Atlanta Housing Code; and

WHEREAS, a period of 30 days from the date of said Order was allowed for the owner(s) and/or parties in interest to comply with the Order; and

WHEREAS, the owner(s) and/or parties in interest of the properties failed to comply with the Order of the In Rem Review Board within the specified time.



NOW THEREFORE BE IT ORDAINED BY THE COUNCIL OF THE CITY OF ATLANTA, GEORGIA AS FOLLOWS:

SECTION 1: That the Mayor is authorized to direct the Department of Planning, Development, and Neighborhood Conservation (Bureau of Neighborhood Conservation) to clean the premises and close the various structures following real property, upon which structure(s) are located:

<u>Proper Street Address</u>	<u>City Council District</u>
1588 Ezra Church Drive, NW	03
321 Laquita Drive, SE	01

SECTION 2: That the Mayor is hereby authorized to direct the Department of Planning, Development, and Neighborhood Conservation (Bureau of Neighborhood Conservation) to perform the following specific duties at the above mentioned properties:

- (1) Vacate the structures, (if occupied).
- (2) Clean the premises and board the structures(s) in conformity with the In Rem Review Board's Orders.
- (3) File a lien against the real property on which the structures(s) are attached for the cost incurred.
- (4) Maintain the property in conformity with the In Rem Review Board's Order until the structure(s) are repaired or demolished.

SECTION 3: That the Mayor is further authorized to allow the Department of Planning, Development, and Neighborhood Conservation (Bureau of Neighborhood Conservation) to engage the professional services of any of the City of Atlanta's pre-qualified contractors to conduct the appropriate duties listed in **SECTION 2** of this ordinance.

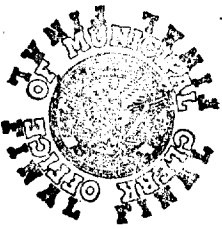
SECTION 4: That all ordinances or parts of ordinances in conflict herewith are hereby repealed.

A true copy,

Phonda Dauphin Johnson
Municipal Clerk, CMC

ADOPTED by the Council
APPROVED by the Mayor

MAY 07, 2001
MAY 15, 2001



TO WHOM IT MAY CONCERN:

Notice is hereby given that a complaint was filed by the City of Atlanta against:

L.D. Latimer
City of Atlanta
National Tax Funding, LP
Internal Revenue Service

on 2-9-01 in the Bureau of Neighborhood Conservation of the City of Atlanta, Georgia,
seeking relief against the following described real estate, to-wit:

ALL THAT real estate situated and being in Land Lot 147 of the 14th District of Fulton County, Georgia, being part of Lot 23, Block F, Ezra Church Heights Subdivision, as per plat recorded in Deed Book 3724, page 112, Fulton County Records, and being more particularly described as follows:

BEGINNING at an iron pin on the southwesterly side of Ezra Church Drive, Four Hundred Seventy (470) feet southeasterly from Spring Land, as measured along the southwesterly side of Ezra Church Drive (said point of beginning also being the line dividing Lots 24 and 23 of said Block and Subdivision); running thence southeasterly along the southwesterly side of Ezra Church Drive, Forty-Five (45) feet to an iron pin and Lot 22 of said Block and Subdivision; running thence southwesterly along the northwesterly line of said Lot 22, Ninety-Seven and Twenty-Five Hundredths (97.25) feet to a point; running thence northwesterly, Fifty (50) feet more or less to Lot 24 of said Block and Subdivision; running thence northeasterly along the southeasterly line of said Lot 24, Ninety-Eight and Eight-tenths (98.8) feet to the southwesterly side of Ezra Church Drive and the point of beginning— being improved property known as 1588 Ezra Church Drive, NW, according to the present numbering system in the City of Atlanta, Fulton County, Georgia.

The relief sought as to said property being to vacate, clean and close, remove or demolish such buildings, dwellings, or structures (and clean the premises thereof) found to be unfit for human habitation. This notice is filed in the Office of the Clerk of Superior Court of Fulton County, Georgia, to be recorded as provided by Georgia laws 1966, page 3089, so that said complaint shall act as a lis pendens as to such real property.

Dated: February 9, 2001

BY:

Dele S. Angerson
Bureau of Neighborhood Conservation, Official Agent

BY:

Bill Cartmings
Assistant Real Estate City Attorney



TO WHOM IT MAY CONCERN:

Notice is hereby given that a complaint was filed by the City of Atlanta against:

Johnny Creecy and Inez Creecy
Real Estate Tax Fund, Inc.
Internal Revenue Service

on 2-9-01 in the Bureau of Neighborhood Conservation of the City of Atlanta, Georgia,
seeking relief against the following described real estate, to-wit:

all that tract or parcel of land lying and being in Land Lot 39 of the 14th District of Fulton County, Georgia, being Lot 50 of the J. J. L. Poole property, according to a plat which is recorded in Plat Book 12, page 200, Fulton County Records, and more particularly described as follows:

BEGINNING at a point on the south side of La Quita (formerly Trenton Street) 100 feet east from the southeast corner of the intersection of La Quita Drive (formerly Trenton Street) and Fremont Street; and running thence east along the south side of La Quita Drive (formerly Trenton Street) 50 feet; thence south 145 feet; thence west 50 feet; thence north 145 feet to the south side of La Quita Drive (formerly Trenton Street) and the point of beginning; and being improved property known as 321 La Quita Drive, according to the present system of numbering houses in the City of Atlanta, Georgia.

The relief sought as to said property being to vacate, clean and close, remove or demolish such buildings, dwellings, or structures (and clean the premises thereof) found to be unfit for human habitation. This notice is filed in the Office of the Clerk of Superior Court of Fulton County, Georgia, to be recorded as provided by Georgia laws 1966, page 3089, so that said complaint shall act as a lis pendens as to such real property.

Dated: February 9, 2001

BY:

John S. Anderson
Bureau of Neighborhood Conservation, Official Agent

BY:

Bill Carter
Assistant Real Estate City Attorney

RCS# 2854
5/07/01
7:15 PM

Atlanta City Council

Regular Session

MULTIPLE

01-O-0488; 01-O-0489; 01-O-0490

ADOPT

YEAS: 12
NAYS: 0
ABSTENTIONS: 0
NOT VOTING: 4
EXCUSED: 0
ABSENT 0

NV McCarty	Y Dorsey	Y Moore	Y Thomas
Y Starnes	Y Woolard	NV Martin	Y Emmons
Y Bond	Y Morris	Y Maddox	Y Alexander
NV Winslow	Y Muller	Y Boazman	NV Pitts

MULTIPLE

01-0-0488

(Do Not Write Above This Line)

ORDINANCE BY: COMMUNITY DEVELOPMENT/
HUMAN RESOURCES COMMITTEE

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DIRECT THE DEPARTMENT OF PLANNING,
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ATLANTA HOUSING CODE AND A HEARING
CONDUCTED BY THE IN REM REVIEW BOARD ON
FEBRUARY 22, 2001.

1588 Ezra Church Drive, NW 03
321 Laquita Drive, SE 01

ADOPTED BY
MAY 07 2001

COUNCIL

- ☒ CONSENT REFER
☐ REGULAR REPORT REFER
☐ ADVERTISE & REFER
☐ 1st ADOPT 2nd READ & REFER
☐ PERSONAL PAPER REFER

Date Referred 4/2/01

Referred To:
Community Development / Human Resources

Date Referred

Referred To:

Date Referred

Referred To:

First Reading

Committee CD/HHR
Date 3/28/01
Chair
Referred to CD/HHR

Committee

Date

Chair

Action:

Fav. Adv. Hold (see rev. side)

Other:

Members

Refer To

Committee

Date

Chair

Action:

Fav. Adv. Hold (see rev. side)

Other:

Members

Refer To

FINAL COUNCIL ACTION

- ☒ 2nd ☐ 1st & 2nd ☐ 3rd
Readings
☐ Consent ☐ V Vote ☒ RC Vote

CERTIFIED

CERTIFIED
MAY 7 2001

ATLANTA CITY COUNCIL PRESIDENT

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CERTIFIED
MAY 07 2001

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MUNICIPAL CLERK

MAYOR'S ACTION

MAY 15 2001

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